

Agreements, and Education Consortium ongoing service agreement for the school year 2004-2005 are included as exhibits. In closing the appeal, you respectfully request that the funding decision be reconsidered.

- Upon thorough review of the appeal and all relevant documentation, it was determined that SLD's decision to deny the funding request was correct. During the Selective Review, the applicant was requested on August 4, 2005 to provide a complete signed copy of any consulting agreement. In the response to SLD dated August 23, 2005, the provided a copy of the Consulting Agreement for school year 2005-2006, which was signed by the school on July 1, 2005. However, the consultant was listed as the contact person on both Forms 471, which were certified by the applicant on February 9, 2005. Furthermore, the consulting agreement for school year 2004-2005 provided during FY2004 selective review dated March 10, 2005 was not signed by the school until March 9, 2005. It is a violation of program rules for consulting services to be provided prior to the signing of a consulting agreement. On appeal, you provide a copy of the consulting agreement for school year 2004-2005 bearing a date of October 20, 2003, which is in conflict with the March 10, 2005 response to the FY2004 Selective Review when asked if the school had a consulting agreement. Also, the duration of the consultant agreement signed October 20, 2003 is only for school year 2004-2005, and not for the current funding year of 2005-2006. You have failed to provide evidence on appeal that SLD has erred in its decision. Consequently, the appeal is denied.

FCC Rules require that FCC Forms 470 and 471 be signed by a person authorized to order telecommunications and other supported services for the eligible entities and certify under oath to all the required certifications. 47 C.F.R. sections 54.504(b)(2), 54.504(c)(1). The authorized person certifies on the Form 470 and Form 471 that he or she is the person authorized to submit and certify to the accuracy of the applications. See Schools and Libraries Universal Service, Description of Services Requested and Certification Form 470, OMB 3060-0806, Block 5 and Schools and Libraries Universal Service, Services Ordered and Certification Form 471, OMB 3060-0806, Block 6. Consultants or other signers who are not employees of the Billed Entity must have a Letter of Agency from the applicant affirming that they are authorized to represent the applicant. See Instructions for Completing the Schools and Libraries Universal Service Services Ordered and Certification Form (FCC Form 471), OMB 3060-0806 and <http://www.universalservice.org/sl/tools/reference/letters-of-agency.aspx>.

Additionally, the FCC has stated that, if consultants are involved, beneficiaries must retain signed copies of all written agreements with E-rate consultants. See Federal-State Joint Board on Universal Service, Changes to the Board of Directors for the National Exchange Carrier Association, Inc., Schools and Libraries Universal Service Support Mechanism, CC Docket No. 02-6, Fifth Report and Order and Order, 19 FCC Rcd at 15821-22, 30, FCC 04-190, para. 48 (rel. August 13, 2004).

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

cc: Nilkanth Patel

Dawn Belden
Educational Consortium for Telecommunications
Savings
133 North State Street
Newtown, PA 07008-2912

Billed Entity Number: 122652
Form 471 Application Number: 446503
Form 486 Application Number:

EXHIBIT C

Both parts (I & II) of the Selective Review take place at the "billed entity" level.

An entity is considered a "billed entity" if it is responsible for making payments directly to a service provider. An entity that receives a bill, but does not make payments to the service provider on that bill, is not a billed entity.

We are requesting and will be looking at information for ALL Form(s) 471, listed on the cover page of this document, that were filed by the billed entity for the 2005-2006 funding year (Funding Year 2005). Please notify us if you have any additional Form(s) 471 for your billed entity number that we have not listed. Also, please include any applications that may have been filed under a different entity number, if that entity belongs to the billed entity (e.g., elementary schools within a School District that file their own applications in addition to the applications filed on their behalf by the District. This review will include all of those applications as well).

It is important that you identify these additional applications at this time. Failure to do so may delay or jeopardize funding commitments and/or post-commitment disbursements. In addition, it may also result in future adjustments to any commitments that you may receive from us, or other action. We will continue the PIA review of applications for this Billed Entity, but be advised that no new funding commitments or payments for existing funding commitments for the 2005-2006 funding year applications for this billed entity will be processed until this review is completed.



Part I: Information Regarding your Competitive Bidding and Vendor Selection Process

For each of the following items we have outlined the requested documentation you will need to supply. Please provide the information by funding request number (FRN) unless otherwise indicated. In the event that a document (e.g., contract, RFP, bid response, etc.) applies to multiple FRNs, simply indicate on the first page of the document which FRN(s) is supported by the document. If for any reason you do not have any of the documentation requested below, you MUST provide a complete explanation.

1) Contracts and/or other agreements

- a) Signed and dated copies (by both applicant and service provider) of any and all agreements related to each of the Form 471 funding request(s), including any and all contracts, agreements, Statements of Work, etc., and any and all agreements between the applicant and the service provider related in any way to the applicant's funding request and/or provision of E-rate related services. Please include Funding Request Number(s) on relevant Contracts.
- b) If the price on the contract is different from the pre-discount price on your Form(s) 471, please explain the difference and account for the difference. (For example, if the dollar amount on the contract is higher than the dollar amount on your Form(s) 471, indicate which services have been removed, if that is the case. If the dollar amount on the contract is lower than the dollar amount on your Form(s) 471, explain why).
- c) If the contract referenced on a particular funding request is a state master contract, please indicate. There is no need to provide a copy of the state master contract at this time, however, please provide any reference to a website where the contract can be found.
- d) If contracts are required, and are not provided, please explain why you have not provided them.

2) Requests for Proposal (RFP)

- a) Copies of any and all requests for proposals (RFPs), invitation to bid, request for bids, or other documentation of bid requests for services and/or products requested, or other solicitations in any way associated with the applicant's funding request(s) and/or the selection of the service provider(s) that appear(s) on the applicant's funding request(s). Be sure to include any and all amendments made to the original RFP.
- b) You do not need to provide copies of FCC Form(s) 470 that were posted to the SLD website.
- c) If RFPs, etc., were used as part of the procurement process and are not being provided, please explain why you have not provided them.

3) Bid Responses

- a) Complete copies of any and all proposals, bid responses, etc., received in response to the Form 470, and/or any RFP, or other solicitation in any way associated with the applicant's funding request and/or with the selection of the service provider that appears on the applicant's funding requests. Please include Funding Request Number(s) on relevant Bid Responses. Again, this information should be provided for all funding requests including tariff, month-to-month and contracted services.

4) Vendor Selection Process

- a) How many bids were received for each FRN Telecommunications, Internet Access, Basic Maintenance and Internal Connections request? If no bids were received for an FRN, please indicate this in your response.
- b) Provide complete documentation indicating how and why you selected your service provider(s). If multiple bids were received, vendor evaluation sheets that were created contemporaneously during the evaluation period must be provided. Documentation should include:
 - i) a description of your evaluation process,
 - ii) the factors you used to determine the winning bid, and
 - iii) attendance sheets for any meetings regarding the Form 470 and/or RFP or other solicitation vehicles.
- c) If more than one factor was used in the evaluation process to determine the winning bid(s) please indicate how those factors were weighted (points or percentage) in the evaluation process.

5) Consulting Agreements

- a) Please provide a complete signed copy of any consulting agreement(s), including any Letters of Agency relating to the planning, implementation, and support of your E-rate funding request(s). If consulting agreement(s) were not used, please indicate as such.

6) Correspondence (Email, phone logs, etc.)

- a) Please provide a copy of all correspondence between your entity and any service providers or consultants regarding the competitive bidding process and the application process. Examples of correspondence required includes e-mails, and letters of contact or response with potential bidders and with selected service providers.
If there is any other documentation that would be helpful to us in our review to ensure that you complied with the Commission's rules requiring a fair and open competitive bidding process, please provide that as well.

- Experience
- Repair and emergency response time

Carteret Public schools followed their normal decision making process when selecting vendors for the 2005-2006 school year.

*** Consulting Agreements:**

The Carteret Public Schools relies on the experience, expertise and judgments of its own staff. The District utilized no consulting services or agreements in the planning, implementation and/or support of E-Rate funding requests made in this application.

I have included a copy of the service agreement between Carteret Board of Ed. and Education consortium. Our sole purpose is to file all necessary forms with the SLD related to the E-Rate process. The district is responsible for all decisions regarding selection of vendors and all other planning, implementation and/or support of E-Rate funding requests.

Correspondence:

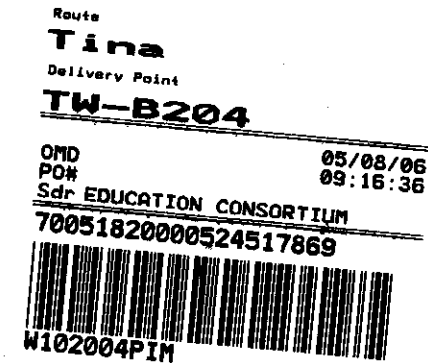
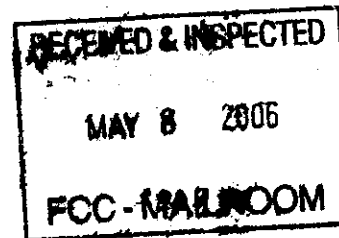
There was no correspondence between the district and any service provider or consultant regarding the competitive bidding process and the application process.

Professional Development:

The District has a Professional Development Committee on the district level as well as a committee for each individual school. The committee conducts a needs assessment to determine the professional development needs of the school/district.

Technology is always a high priority in staff training. The district has a team of staff members that provide in-service training in technology. District staff provides training in all applications as well as accessing available tools on the Internet for instructional enhancement. Staff members do attend out-of-district workshops regarding technology and do provide turnkey training with staff members throughout the school year. Our commitment to professional development continues to be a priority for the education, technology and administrative staff.

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FCC

EDUCATION CONSORTIUM / ECTS
133 N. State Street
Newtown, PA 18940

Request for Review
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

